U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights

Office for Civil Rights ● 200 Independence Ave., S.W
Washington, DC 20201 ●
Voice: (202) 619-0403 ● TDD: (202) 619-3257
Fax: (202) 619-3818 ● www.hhs.gov/ocr

February 3, 2025

VIA ELECTRONIC MAIL
John R. Fouts
[redacted]

HHS OCR closed my case as a 'transaction' instead of investigating, which shields them from legal liability. This was never a real investigation—it was a bureaucratic loophole to bury my case.

Re: OCR Transaction Number: 24-585169

Dear Mr. Fouts,

The U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR) received your complaint against the Kentucky Department for Medicaid Services (the State). The complaint alleges that the State is discriminating against you on the basis of disability.

Specifically, you allege that the State is failing to provide you with personal care assistance, home modifications, durable medical equipment, medical transportation, housekeeping duties, and assistance with errands services in a timely manner, placing you at risk of institutionalization.

On October 2, 2024, OCR spoke with you about your complaint and subsequently communicated with you via email.

On January 23, 2025, you informed OCR that the federal court complaint that you recently filed overlaps significantly with the violations described in your OCR complaint. Specifically, you state that,

> both address systemic barriers and discrimination under federal law. However, the federal court filings also include additional details and examples specific to the judiciary's procedural failures, such as ignored filings and systemic obstruction of justice, which are critical to the broader context of this case.

We understand the importance of the issues you have raised and encourage you to continue to pursue resolution of your concerns through the federal court process. Should the federal court resolve the matter or otherwise dismiss the case, you are welcome to refile a complaint with OCR to determine whether we may further assist you at that time.

They admit they understand the issues I raised—yet instead of taking action, they closed the case. If they understand the violations, why didn't they enforce the law?

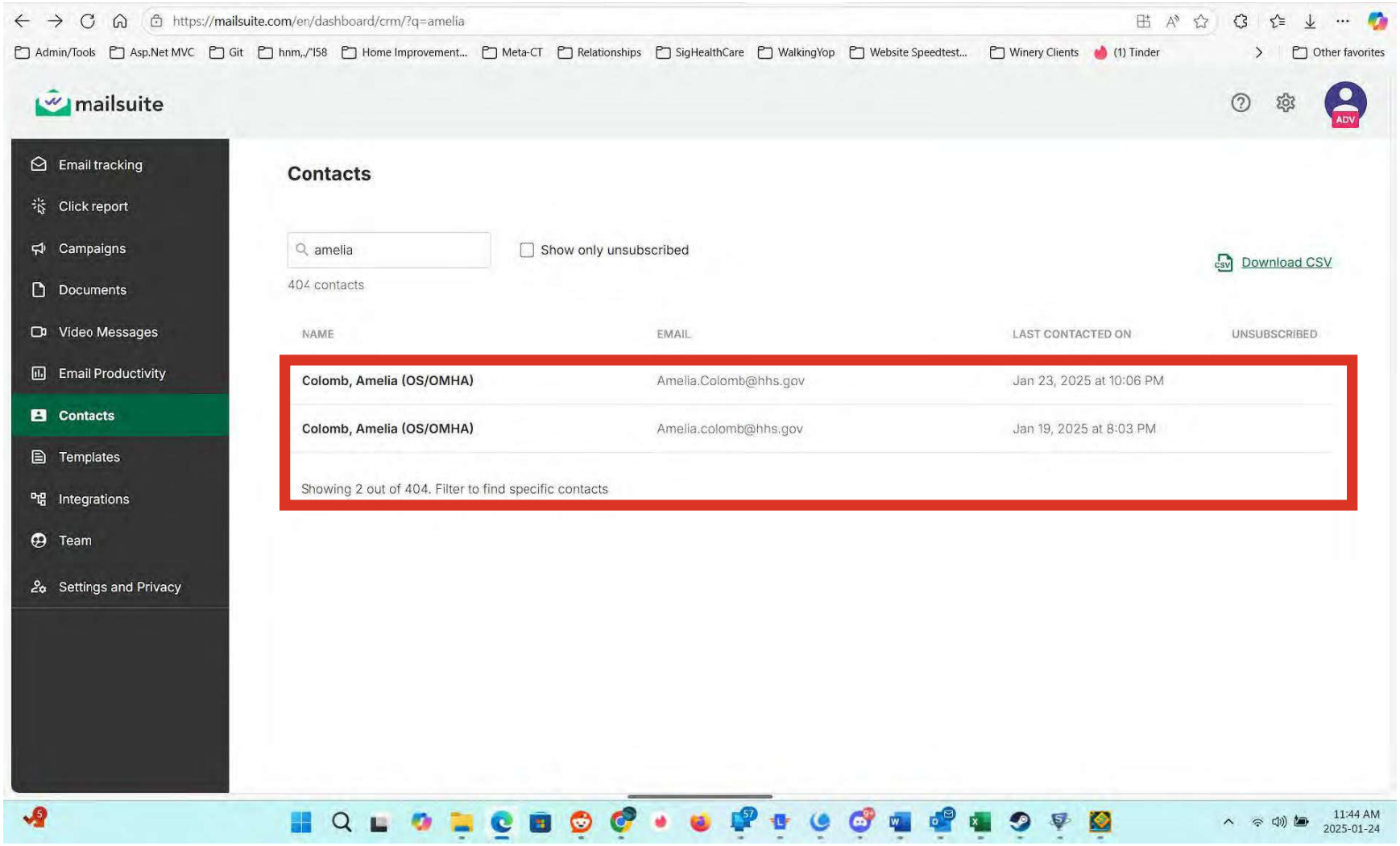
If you have any questions about this matter, please contact Amelia Colomb Olmstead and Community Integration Enforcement Analysts, at amelia.colomb@hhs.gov.

Sincerely,

Mordecai Simha

Mordecai Y. Simha
Olmstead and Community Integration Senior Manager
Office for Civil Rights
U.S. Department of Health and Human Services

Exhibit: Email Activity Report Demonstrating Lack of Engagement by Assigned Investigators



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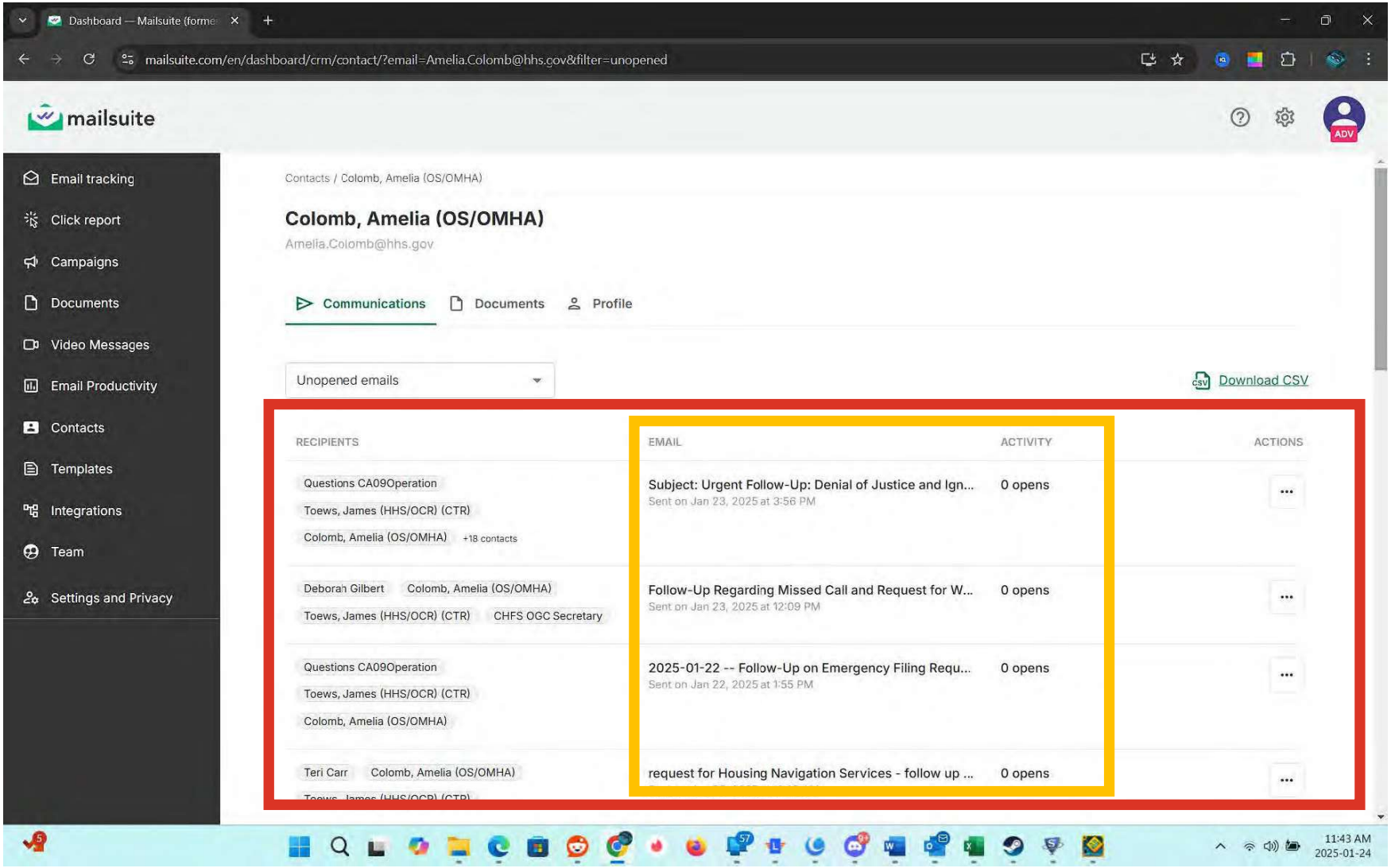

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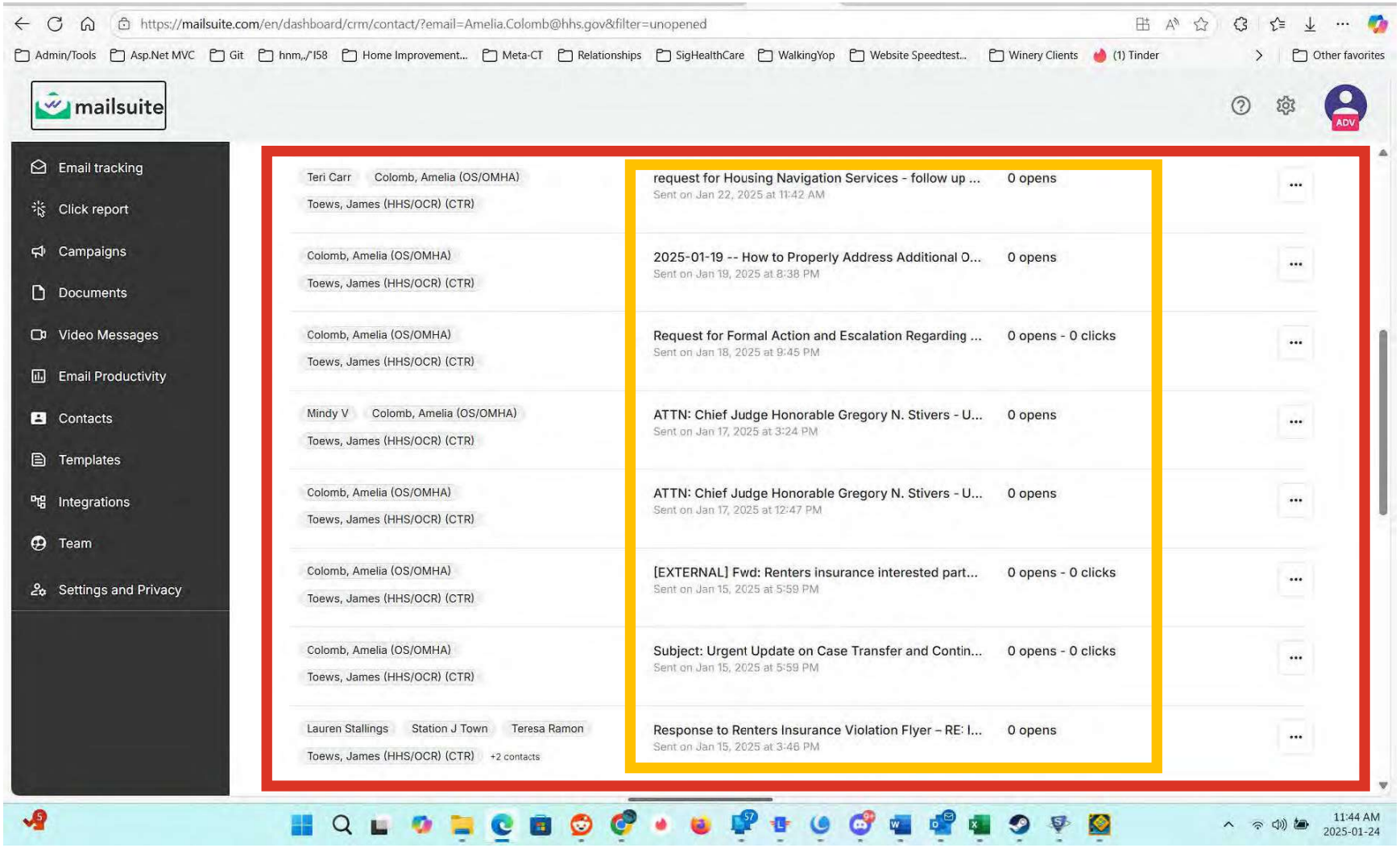
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mailsuite
Email tracking
Click report
Campaigns
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Video Messages
Email Productivity
Contacts
Templates
Integrations
Team
Settings and Privacy
Teri Carr Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
request for Housing Navigation Services - follow up ...
Sent on Jan 22, 2025 at 11:42 AM
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Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
2025-01-19 -- How to Properly Address Additional O...
Sent on Jan 19, 2025 at 8:38 PM
0 opens
Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
Request for Formal Action and Escalation Regarding ...
Sent on Jan 18, 2025 at 9:45 PM
0 opens - 0 clicks
Mindy V Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
ATTN: Chief Judge Honorable Gregory N. Stivers - U...
Sent on Jan 17, 2025 at 3:24 PM
0 opens
Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
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Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
[EXTERNAL] Fwd: Renters insurance interested part...
Sent on Jan 15, 2025 at 5:59 PM
0 opens - 0 clicks
Colomb, Amelia (OS/OMHA) Toews, James (HHS/OCR) (CTR)
Subject: Urgent Update on Case Transfer and Contin...
Sent on Jan 15, 2025 at 5:59 PM
0 opens - 0 clicks
Lauren Stallings Station J Town Teresa Ramon Toews, James (HHS/OCR) (CTR) +2 contacts
Response to Renters Insurance Violation Flyer – RE: I...
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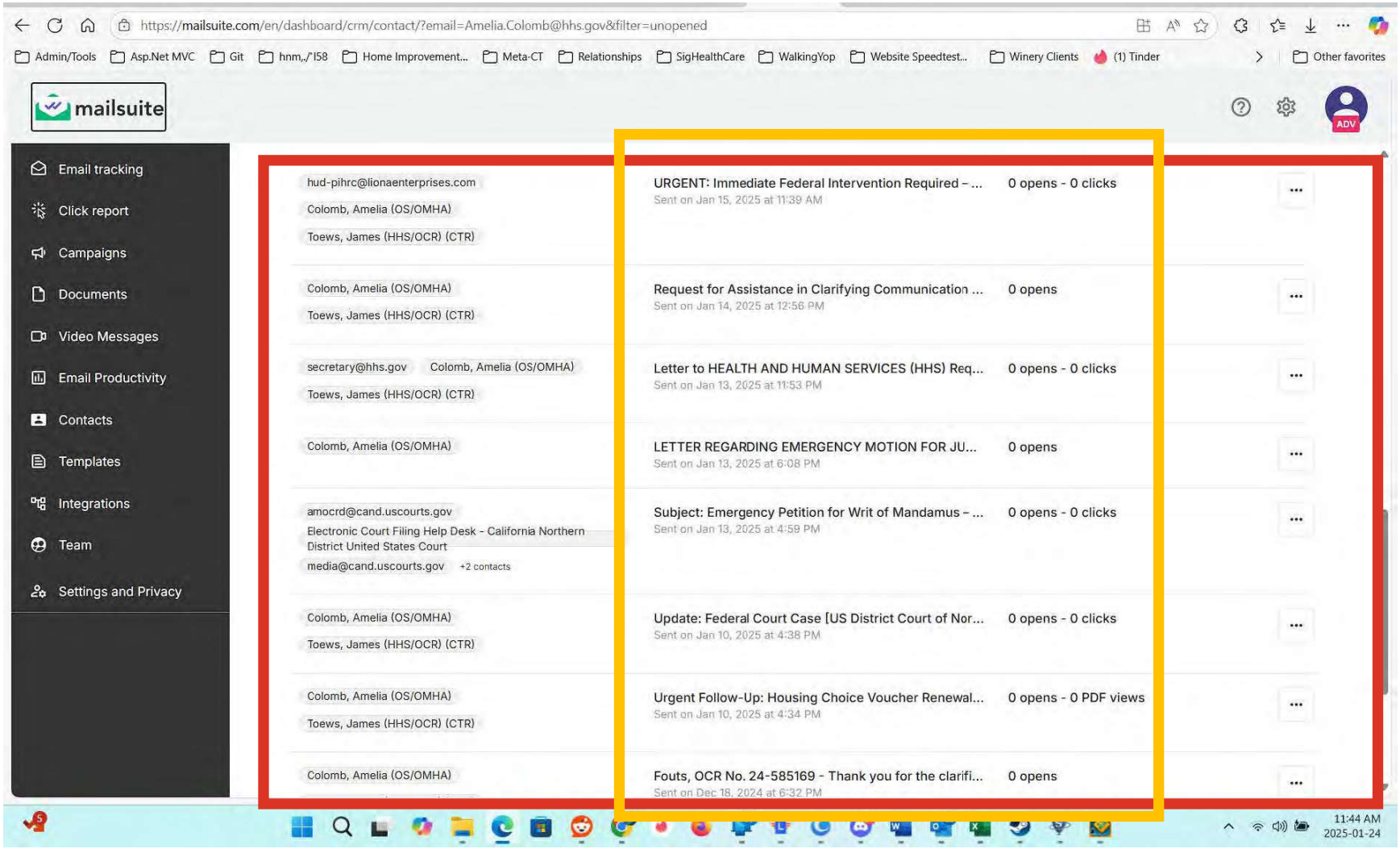
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mailsuite
Email tracking
Click report
Campaigns
Documents
Video Messages
Email Productivity
Contacts
Templates
Integrations
Team
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hud-pihrc@lionaenterprises.com
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URGENT: Immediate Federal Intervention Required – ...
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Colomb, Amelia (OS/OMHA)
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Request for Assistance in Clarifying Communication ...
Sent on Jan 14, 2025 at 12:56 PM
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secretary@hhs.gov
Colomb, Amelia (OS/OMHA)
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Letter to HEALTH AND HUMAN SERVICES (HHS) Req...
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LETTER REGARDING EMERGENCY MOTION FOR JU...
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amocrd@cand.uscourts.gov
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media@cand.uscourts.gov
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Urgent Follow-Up: Housing Choice Voucher Renewal...
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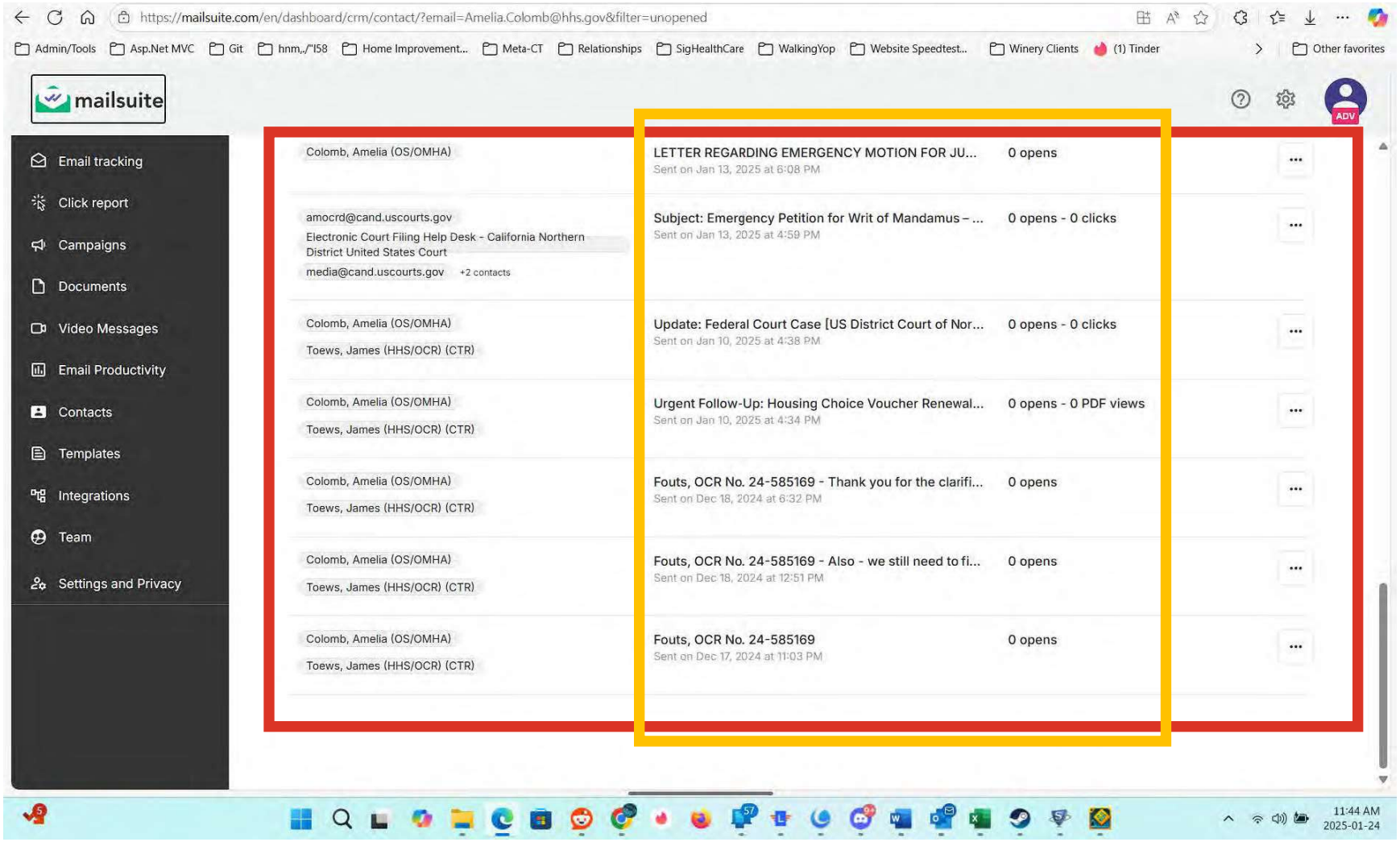
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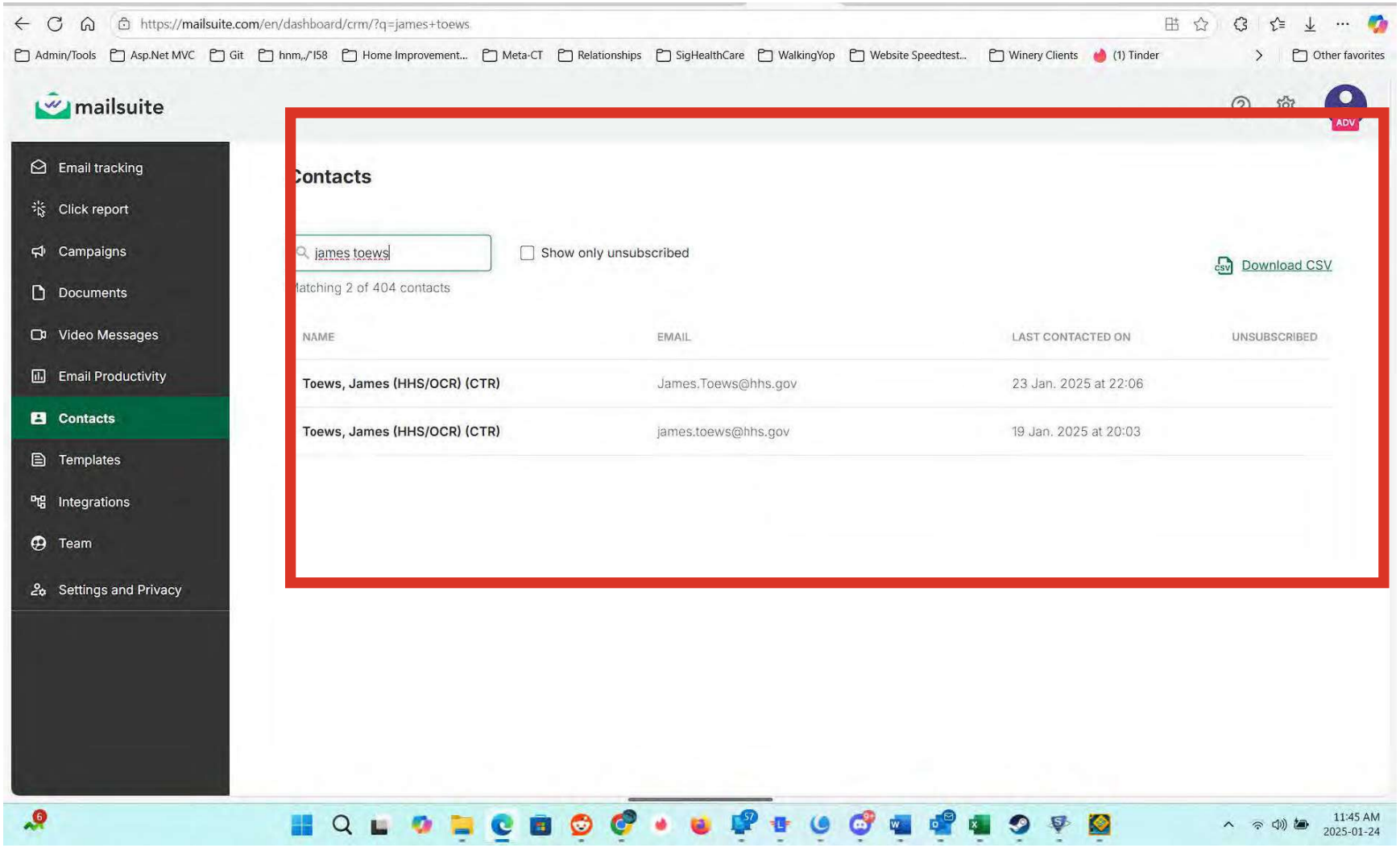

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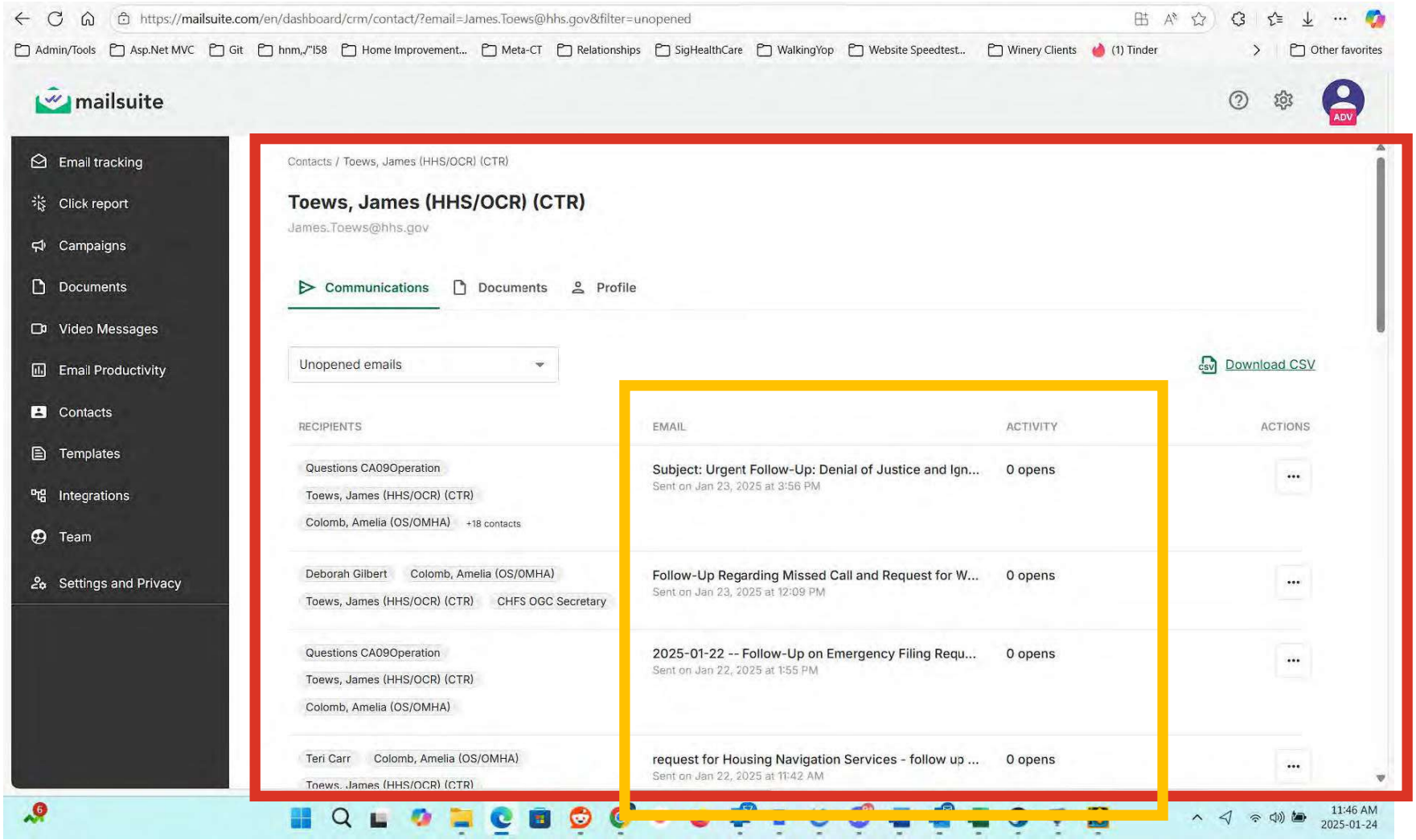

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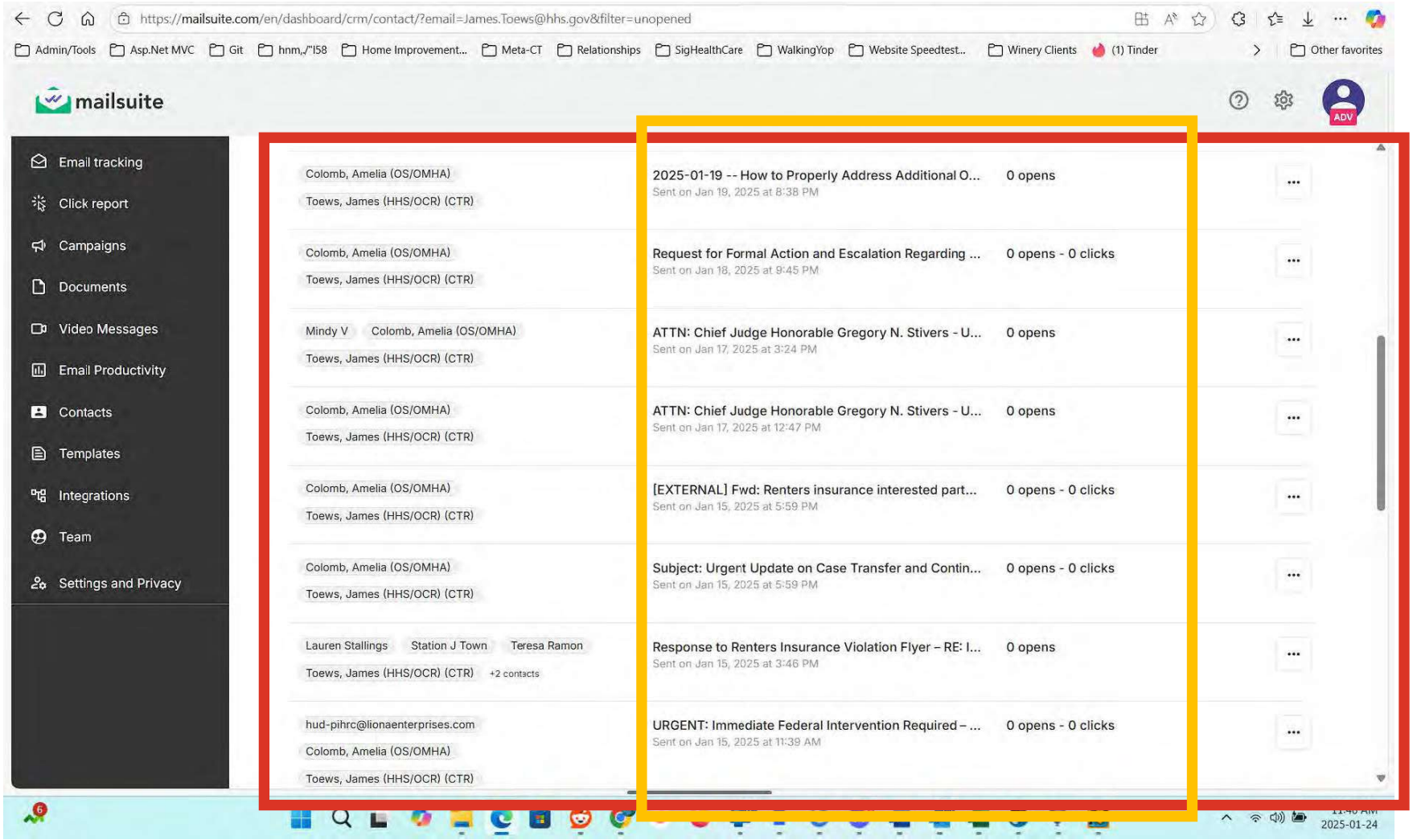
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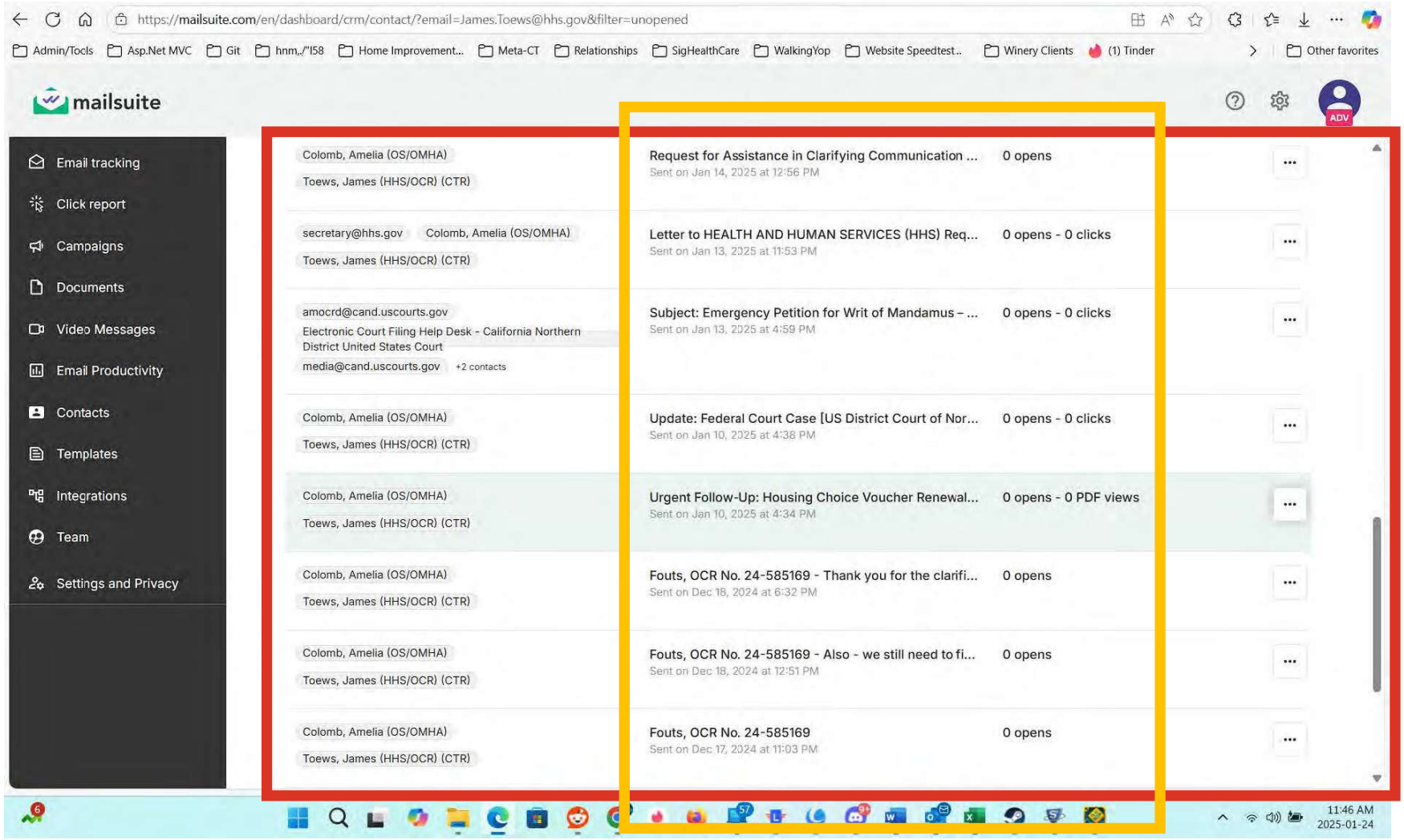
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